

Appl. No. 10/671,313  
Response to Office Action dated September 22, 2004

### REMARKS/ARGUMENTS

#### Status of the Claims

Claims 1-17 are pending in the application. Claims 1-9 stand rejected; claims 10-17 are allowed.

#### The Rejection

Claims 1-9 stand rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over U. S. Patent No. 5,558,851 ("Miller").

#### Remarks

Miller discloses a method for preparing crystalline zeolites from a reaction mixture containing only sufficient water so that the reaction mixture may be shaped, if desired (see the Abstract). The amount of water present in the reaction mixture is insufficient to cause the shaped reaction mixture to collapse or "melt", i.e., the reaction mixture is self-supporting (col. 4, l. 30-35). The water in the reaction mixture is insufficient to make a fluid-like mixture (col. 5, l. 13-14), but rather allows a formable mass to be made which retains its shape (col. 6, l. 55-56).

Applicants' invention, on the other hand, involves forming an aqueous slurry of reactants which is then spray dried. A slurry is a thin, watery suspension or mixture<sup>1</sup> which would be incapable of being formed into a self-supporting shape, let alone maintaining that shape for the duration of the reaction. Thus, it is submitted that Miller's method

<sup>1</sup> See enclosed page 646 from The Van Nostrand Chemist's Dictionary, D. Van Nostrand Company, Inc., 1953 and page 1047 from Hawley's Condensed Chemical Dictionary, Van Nostrand Reinhold, 1987.

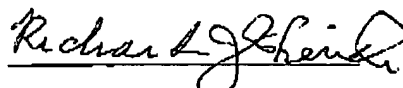
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involving a shapeable mass neither anticipates, nor renders obvious, claims 1-9 which use a slurry.

The Examiner asserts that Applicants' specification lists amounts of water that are the same as the amounts of water disclosed in Miller. However, this ignores the fact that claims 1-9 all call for a slurry, whereas Miller does not. Furthermore, the mere fact that the amounts of water that may be used in Miller and Applicants' method does not take into account the fact that varying the amount and type of other reactants may well lead to the formation of a formable mass in one case, and a slurry in a different case.

From the foregoing, it is submitted that Applicants' claimed invention is both novel and nonobvious in view of Miller. Accordingly, allowance of all claims is respectfully requested.

Respectfully submitted,



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Enclosures

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